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PUBLIC DEPARTMENT (Reforms)

NOTIFICATION.

Chennai, August 26, 1930

No. 149-21.—In exercise of the powers conferred by rule 15 (1) of the Madras Electoral Rules published by the Government of India in their Notification No. 762-F, dated 27th July 1930, the Governor in Council is pleased to make the following regulations for the conduct of elections for the general and special constituencies of the Madras Legislative Council:—

SECTION I.—GENERAL AND LANDHOLDERS' CONSTITUENCIES.

1. These regulations shall apply to the general and landholders' constituencies.
2. The officers described in column 2 of the schedule to these regulations are hereby declared to be Returning Officers for the constituencies entered against each.
3. (1) Not less than thirty days before the date fixed by the Government for the holding of an election, the Returning Officer shall prepare and publish a proclamation:—
 - (a) the number of persons to be elected;
 - (b) the constituencies for which they are to be elected;
 - (c) the date on which and the hours between which nominations should be presented to the Returning Officer;
 - (d) the date on which the nomination papers will be taken up for scrutiny, not being less than fifteen days before the date of the election;
 - (e) the day on which, and the place or places where, the votes of the electors will be taken, should there be a poll; and the hours during which the poll will be open, not being less than ten hours between 7 a.m. and 6 p.m.; and
 - (f) the day on which, and the place and hours at which, the Returning Officer will announce the result of the votes.
- (2) The notice shall be published in the Fort St. George Gazette for the city of Madras and in the district gazette concerned including the villages attached for constituencies which do not include the city of Madras. The Returning Officer shall forthwith send copies of the notice to be posted within each constituency in the municipal offices and the offices of Collector, Divisional Officer, Tahsildars, Deputy Tahsildars and sub-registrars concerned and in each rural polling station at the principal post office or, if there is no post office, at the village shanthy.

Elimination of candidates.

4. (1) The nomination of every candidate shall be made by means of a nomination paper in Form I which shall on application be supplied by the Returning Officer to any elector whose name is on the electoral roll for the constituency.

(2) Every nomination paper shall be subscribed by two such electors as proposer and secondor and the candidate shall subscribe a declaration on it expressing his willingness to stand for election and naming his election agent.

(3) The same elector may subscribe as many nomination papers as there are vacancies to be filled. Each candidate shall be nominated by a separate nomination paper.

(4) Every nomination paper shall be handed by the proposer or secondor to the Returning Officer at the time and place appointed by him and shall thereupon be signed by the Returning Officer.

5. Nomination papers which are not received by the Returning Officer before the date and time so appointed shall be rejected.

6. On the day appointed for the receipt of nomination papers, and immediately after the hour for their receipt is past, the Returning Officer shall make up a list in Form II of the nominations which appear to him proper, send to be read and publish it on the notice board of his office with a notice that the nomination papers will be taken up by him for scrutiny on the date fixed in regulation 3 (1) (c) of a place and hour to be specified by him.

Scrutiny of nomination papers

7. (1) On the date and at the time appointed for the scrutiny of nomination papers, every candidate and his proposer and secondor and election agent may attend at the place appointed, and the Returning Officer shall give them all reasonable facilities for examining the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under regulation 4 and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall, in every case, be endorsed by him on the nomination paper in respect of which such decision is given.

8. (a) After the scrutiny and the acceptance or rejection of nomination papers in the manner described in regulation 7 (1) is completed, the Returning Officer shall make up a list of valid nominations in Form III and publish it on the notice-board of his office not less than ten days before the date fixed for the election.

(b) The final list shall also be published in the Port St. George Gazette for the city of Madras and in the district gazette concerned including the village sheet for constituencies which do not include the city of Madras. Copies of the list shall forthwith be sent to be posted within each constituency in the municipal offices and the offices of Collectors, divisional officers, sub-divisions, deputy commissioners and sub-divisional officers and in such rural polling stations as the principal post office or, if there is no post office, at the village shamsa.

(c) The final list shall describe the candidates as in their nomination papers and exhibit their names in alphabetical order.

9. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed intimation delivered to the Returning Officer not less than ten clear days before the date fixed for the meeting of voters.

(2) The Returning Officer shall forthwith notify any such withdrawal and shall remove from the ballot paper if already printed the name of the candidate who has withdrawn his candidature.

10. (a) If, owing to there being more candidates than there are vacancies, a poll has to be taken, the Commissioner of the Madras municipality or Collector of the district concerned shall appoint forthwith one or more Presiding Officers for each polling station. The Commissioner or Collector may also, if necessary, appoint one or more officers to assist the Presiding Officers in identifying the voters.

(b) No elector shall be admitted to vote at any polling station other than the one under which his name appears in the electoral roll.

Polling

11. The Presiding Officers shall keep order at the station, shall see that the election is fairly conducted, shall regulate the number of electors to be admitted at one time and shall exclude all other persons except his clerk, the candidates or any agent whose any candidate may have appointed in writing to appear in his stead at the polling station, the police constable, and persons as may be admitted for the purpose of identifying the voters.

12. The ballot box shall be so constructed that the ballot papers can be introduced therein but cannot be withdrawn therefrom without the box being unlocked. Just before the commencement of the poll the Presiding Officer shall show the ballot box empty to such persons as may be present at the polling station and shall then lock it up and place a seal upon it or each instance as to prevent its being opened without breaking such seal and place it in his view for the receipt of ballot papers and shall keep it so locked and sealed. The key of the ballot box shall also be placed under seal.

13. The Commissioner or Collector shall provide for each Presiding Officer such number of tickets as he may consider desirable and shall supply to him copies of the electoral roll for his polling area, ballot papers and boxes, a list of the candidates and such other papers, stationery and forms as may be necessary.

14. Every ballot paper shall be in Form V and shall have the full names of the candidates printed in alphabetical order. If there are two candidates whose full names are the same they shall be distinguished by the addition of their surnames or in some other way.

15. (1) When a person presents himself to vote, but not afterwards, the Presiding Officer, or any clerk appointed to check the rolls by a reference to the electoral rolls, may of his own accord and shall, if so required by a candidate or his agent, put to the person either or both of the following questions:—

(a) Are you the person enrolled as follows (reading the whole entry from the roll)?

(b) Have you already voted at this present election for the constituency or any other general constituency?

(2) The vote of the person required to answer either of these questions shall not be allowed until he answers question (a) in the affirmative and question (b) in the negative.

(3) The name of every person presenting himself to vote and his number in the electoral roll shall be entered on a signature slip in Form IV and the voter shall thereupon, if he is literate, sign his name in the column provided for that purpose, or if he is illiterate, fix his thumb impression thereon. The signature slip shall be consecutively numbered.

(4) The voter shall present his slip to the Presiding Officer who, after satisfying himself that it has been duly signed by the voter or impressed with his thumb mark, shall file it. Provided that the Presiding Officer may, if any doubt should arise as to the identity of the voter, require that the slip be attested by any person present who can identify the voter. If there is no such person present the Presiding Officer shall note on the slip the fact that the voter's identity has been questioned.

16. Immediately before a ballot paper—that is the enclosed of Form V—is handed over to the voter, the Presiding Officer shall—

(a) fold it in the back;

(b) enter the voter's number in the electoral roll on the corresponding counterfoil of Form V; and

(c) affix his initials against the voter's name in the electoral roll.

The Presiding Officer shall then tell the voter how many votes may be given and shall give him a ballot paper.

17. The voter on receiving the ballot paper shall forthwith proceed to the place set apart for the purpose and there mark a cross against the name of the candidate or candidates for whom he intends to vote. He shall then fold up the ballot paper so as to conceal his vote and put his ballot paper so folded into the ballot box.

18. (1) If the voter is unable to read the ballot paper or to make a cross thereon, and applies for assistance in doing so, the Presiding Officer shall read it for him and if so required mark the ballot paper according to the directions of the voter and give it to him to put in the ballot box.

(2) In the case of any voter whose ballot paper is marked in this manner by the Presiding Officer, a note shall be made on the corresponding counterfoil of Form V by the Presiding Officer of the reason why it was so marked.

19. (1) Any ballot paper which is not duly marked or on which votes are given to more candidates than there are members to be elected or on which any mark is made by which the votes may afterwards be identified, shall be invalid.

(2) If more than one cross is placed against any candidate's name they shall count only as one vote in his favor provided that the voter has not placed crosses against more candidates than there are members to be elected.

(3) If the cross or any one of the crosses is so placed as to render it doubtful for which candidate such mark is intended to apply, the vote concerned but not the whole ballot paper in the case where more than one vote can be given on the same ballot paper shall be invalid provided again that the voter has not placed crosses against more candidates than there are members to be elected.

20. If a person representing himself to be a particular elector, named on the electoral roll applies for a ballot paper, either another person has voted as such elector, the applicant shall, after duly answering such question as the Presiding Officer may ask, be entitled to such a ballot paper in the same manner as any other voter. The ballot paper (folded in three regulations a tendered ballot paper) shall be of a colour different from the other ballot papers and instead of being put into the ballot box shall be given to the Presiding Officer and entered by him with the name of the voter and his number on the electoral roll and set aside in a separate packet. The signature or thumb impression of the voter concerned shall be taken on a signature slip in Form IV or thumb impression in (3), but the slip in this case shall not be placed on the file of signature slips but shall be attached to the concerned tendered ballot paper and three slips with their concerned tendered ballot papers shall be separately filed.

21. A voter who has inadvertently dealt with his ballot paper in such a manner that it cannot be conveniently used as a ballot paper may, on delivering it to the Presiding Officer and satisfying him of the inadvertence, obtain another ballot paper in place of the spoiled paper, the latter together with the counterfoil being marked as spoiled.

22. The Presiding Officer of each polling station as soon as practicable after the close of the poll shall in the presence of the candidates or their agents make up into separate packets and seal with his own seal and the seal of each agent of the candidates as may desire in order that and—

- (1) each ballot box in use at his station unopened;
- (2) the keys of such boxes;
- (3) the unused and spoiled ballot papers both ordinary and numbered with their number-slip;
- (4) the numbered ballot papers with the signature slips attached to them;
- (5) the marked copies of the electoral roll; and the counterfoils of ballot papers; and
- (6) the file of signature slips.

23. The packets shall be forwarded by the Presiding Officer to the Returning Officer accompanied by a statement in Form VI so as to reach him not later than the day and hour fixed for the counting of votes. Each packet shall be numbered and shall bear a note as to its contents.

24. Every Presiding Officer, clerk and agent in attendance at a polling station shall maintain, and aid in maintaining, the secrecy of the voting in such station and shall not communicate, except for some purpose authorized by law, to any person any information as to the names or number on the electoral roll of any elector who has or has not applied for a ballot paper at such station or as to have a particular elector has voted; and no such officer, clerk or agent and no person whatsoever shall interfere with or attempt to interfere with a voter when casting his vote. No person shall directly or indirectly induce any elector to display his ballot paper after he shall have marked the same so as to make known to any person the name of the candidate for whom he has so marked his vote.

25. On the day and at the hour appointed for the counting of votes the Returning Officer shall proceed as follows:—

(a) The ballot box or boxes relating to each polling station shall be opened and after opening, the Returning Officer shall take out the papers therefrom, count them or cause them to be counted, and record the number thereof in a statement in Form VII.

(b) The Returning Officer shall then mix together the whole of the ballot papers of all the ballot boxes, and hand them out in convenient bundles to the persons employed as scrutineers.

(c) The examination and counting of the votes will then commence. The Returning Officer shall on every ballot paper which is wholly or partially rejected endorse the word "rejected". If any scrutineer or agent present questions the correctness of his rejection order, he shall also endorse on the ballot paper the grounds of rejection briefly.

(d) The Returning Officer shall, as far as practicable, proceed expeditiously with the counting of the votes; and shall during any necessary intervals, during which the counting has to be suspended, place the ballot papers, packets and other documents relating to the election under his own seal and the seals of each candidate or their agents as may desire in order that; and adequate provision shall be taken for their custody.

26. After the Returning Officer has completed the counting and counting he shall prepare a return of the results of the polling in Form VIII, and after verifying the totals of votes with the figures in Forms VI and VII, he shall declare the elector of the successful candidate or candidates as provided in rule 12 (1) and (3) of the Electoral Rules.

27. Any candidate or his agent shall, on application, be permitted to take a copy or an extract from the return in Form VIII.

28. The Returning Officer shall not open the sealed packets containing the numbered ballot papers and their numbered signature slips or the marked copies of the electoral roll.

29. Upon the completion of the counting and the declaration of the results the Returning Officer shall seal up in separate packets (1) the ballot papers all or some of the votes on which have been counted, and (2) the ballot papers all the votes on which have been rejected and shall mark on each packet the number of papers it contains. A note shall be made giving a description of the contents of each packet and the election in which it relates.

Disposition of ballot papers.

30. The Returning Officer shall, after declaring the result, forward a copy of the return in Form VIII to the Secretary to the Council or to the member of the first election to the Secretary to Government in the Legislative Department.

31. The Returning Officer shall retain in his custody the packets of ballot papers whether marked, rejected or numbered and of the counterfoils thereof. These packets shall not be opened and their contents shall not be inspected or produced except under the orders of a competent court or of election commissioners.

32. The Returning Officer shall retain the packets for a year and shall then, unless otherwise directed by the orders of an election court, cause them to be destroyed.

SCHEDULE.

General constitutions.

Place of constituency.

Returning Officer.

Urban constituencies.

Madras City	...	...	...	Commissioner, Corporation of Madras
Madras City	...	...	...	Collector of Madras.
Trichinopoly and Srirangam	...	...	...	Collector of Trichinopoly.
Tirunelveli and Palamcottah	...	...	...	Collector of Tirunelveli.
Coimbatore City	...	...	...	Collector of Coimbatore.
Vijayapattinam City	...	...	...	Collector of Vijayapattinam.

Rural constituencies.

Arundel	...	...	...	Collector of Arundel.
Arundel, North	...	...	...	Collector of North Arundel.
Arundel, South	...	...	...	Collector of South Arundel.
Bellary	...	...	...	Collector of Bellary.
Chingleput	...	...	...	Collector of Chingleput.
Chittoor	...	...	...	Collector of Chittoor.
Coimbatore	...	...	...	Collector of Coimbatore.
Cuddalore	...	...	...	Collector of Cuddalore.
Ganjam	...	...	...	Collector of Ganjam.
Gondal	...	...	...	Collector of Gondal.
Kanara, South	...	...	...	Collector of South Kanara.
Kannur	...	...	...	Collector of Kannur.
Karikal	...	...	...	Collector of Karikal.
Madras	...	...	...	Collector of Madras.
Malabar and Angamaly	...	...	...	Collector of Malabar.
Nellore	...	...	...	Collector of Nellore.
Nizampet, The	...	...	...	Collector of The Nizampet.
Ramanathapuram	...	...	...	Collector of Ramanathapuram.
Salem	...	...	...	Collector of Salem.
Tanjore	...	...	...	Collector of Tanjore.
Tirunelveli	...	...	...	Collector of Tirunelveli.
Trichinopoly	...	...	...	Collector of Trichinopoly.
Vijayapattinam	...	...	...	Collector of Vijayapattinam.

Subordinate constituencies.

Urban.

Madras City	...	...	...	Commissioner, Corporation of Madras.
Madras and Trichinopoly and Srirangam	...	...	...	Collector of Trichinopoly.

Rural.

Northern Circars	...	...	...	Collector of Godavari.
East Coast	...	...	...	Collector of Nellore.
Central districts	...	...	...	Collector of Karikal.
South Arundel and Chingleput	...	...	...	Collector of Chingleput.
Central districts	...	...	...	Collector of Chingleput.
Tanjore	...	...	...	Collector of Tanjore.
Madras and Trichinopoly	...	...	...	Collector of Trichinopoly.
Ramanathapuram	...	...	...	Collector of Ramanathapuram.
Malabar and Angamaly	...	...	...	Collector of Malabar.
South Kanara	...	...	...	Collector of South Kanara.

Indian Christian constituencies.

Northern districts	...	...	...	Collector of Karikal.
Central districts	...	...	...	Collector of Madras.
West Coast	...	...	...	Collector of Coimbatore.
Tanjore and Trichinopoly and Madras	...	...	...	Collector of Trichinopoly.
Ramanathapuram	...	...	...	Collector of Ramanathapuram.

European and Anglo-Indian constituencies.

Europeans	...	...	...	Secretary to Government, Legislative Department
Anglo-Indian	...	...	...	Secretary to Government, Legislative Department

Landholders' constituencies.

Northern Landholders I	...	...	...	Collector of Godavari.
Northern Landholders II	...	...	...	Collector of Karikal.
North Central Landholders	...	...	...	Collector of Madras.
South Central Landholders	...	...	...	Collector of Salem.
Southern Landholders	...	...	...	Collector of Trichinopoly.
West Coast Landholders	...	...	...	Collector of Malabar.

Form I.

Nominating paper.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Candidate's declaration.

I declare that I am willing to stand for election, and that I have appointed as my election agent,

Signature of Candidate.

Signature of Returning Officer.

Instruction.

Nominating papers which are not received by the Returning Officer before the _____ day of _____ 1929 shall be invalid.

Form II.

Preliminary list of nominations.

1. Serial number.
2. Name of candidate.
3. Father's or husband's name.
4. Occupation and address.
5. Name of proposer.
6. Name of seconder.

Note.

The nominating papers will be taken up for scrutiny at _____ on _____ day of _____ at (place).

Returning Officer.

Form III.

Final list of valid nominations.

1. Serial number.
2. Name of candidate.
3. Address.

Note.

The poll will be taken between _____ and _____ at the polling stations already notified.

Returning Officer.

Form IV.

Signature sheet No. _____

Number as entered up.	Name.	Signature of voter if literate or thumb impression of voter if illiterate with signature of witness.

Form V.

Form of front of ballot paper.

County/ District/

Serial No. Constituency (General) constituency.

	Serial number.	Name and description of candidate.
	(1)	(2)
Constituency—Chingelput (General).	1	
	2	
Date of election—	3	
	4	
Number of electors—	5	
	6	

Form of back of ballot paper.

Serial No.

Form VI.

Statement sent by Presiding Officer at the polling station for the in the district of after

Description.	Number received.	Number sent.	Number spoiled.	Balance.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)
I. Ballot papers—					
(a) Ordinary ..					
(b) Tactless ..					
II. Signature slips ..					

Enclosures of packets sent to Returning Officer ..

Signature of Presiding Officer.

Form VII.

Name of polling station.	Number of ballot boxes.	Number of ballot papers in box.
(1)	(2)	(3)
Total ..		

Returning Officer.

FORM VIII.

Return showing results of the election for _____ seat for _____ constituency.	
Name of candidate (1)	Number of valid votes (2)
A	
B	
C	
D	
E	
F	
Total number of valid votes ...	
Total number of invalid votes ...	

I do hereby declare that the following candidate

A
B
C

have been duly elected.

Returning Officer.

SECTION II.—UNIVERSITY CONSTITUENCY.

- These regulations shall apply to the University constituency.
- The Vice-Chancellor of the University of Madras shall be the Returning Officer for the constituency.
- (1) Not less than thirty days before the date fixed by Government for the election of a member for the constituency the Returning Officer shall publish a notice stating—
 - the date on which and the hours between which nominations should be presented to the Registrar of the University;
 - the date on which the nomination papers will be taken up for scrutiny, not being less than twenty days before the date of the election;
 - the day to which, and the place or places where, the votes of the electors will be taken, should there be a poll; and the hours during which the poll will be open not being less than two hours between 7 a.m. and 6 p.m.; and
 - the day on which, and the place and hour at which, the Returning Officer will commence the counting of the votes.
- The notice shall be published in the Fort St. George and District Gazette and in such newspapers as the Returning Officer may select.
- The Returning Officer shall forthwith send copies of the notice to be posted within each district in the municipal offices and the offices of Collectors, divisional officers, sub-districts, deputy commissioners and sub-commissioners.

Nominations of candidates.

- (1) The nomination of every candidate shall be made by means of a nomination paper in Form I which shall on application be supplied by the Registrar to any elector whose name is on the electoral roll for the constituency.
- Every nomination paper shall be subscribed by two such electors as proposer and seconder and the candidate shall subscribe a declaration on it expressing his willingness to stand for election and accept his election agent.
- Each candidate shall be nominated by a separate nomination paper.
- Every nomination paper shall be issued by the proposer or proposer to the Registrar on the date, and at the time and place appointed and shall thereupon be signed by the Registrar.
- Nomination papers which are not received by the Registrar before the date and time so appointed shall be rejected.
- On the day appointed for the receipt of nomination papers, and immediately after the hour for their receipt is past, the Registrar shall make up a list in Form II of the nominations which appear to him prima facie to be valid and publish it on the notice-board of his office with a notice that the nomination papers will be taken up by the Returning Officer for scrutiny on the date fixed under regulation 3 (1) (c) at the Senate House at so hour as is specified by him.

Scrutiny of nomination papers:

7. (1) On the date and at the time appointed for the scrutiny of nomination papers, every candidate, his election agent and his proposer and secondor may attend and the Returning Officer shall give them all reasonable facilities for examining the nomination papers of all candidates which have been received as aforesaid.

(2) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under regulation 4 and may reject, either of his own motion or on such objections, any nomination paper so much proved; the decision of the Returning Officer shall in every case be confirmed by him on the nomination paper in respect of which such decision is given.

8. (1) After the scrutiny and the acceptance or rejection of nomination papers in the manner described in regulation 7 (2) is completed, the Returning Officer shall make up a final list of valid candidates in Form III and publish it on the notice-board at the Senate House not later than fifteen days before the date fixed for the election.

(2) The final list shall also be published in the Fort St. George and District Gazette and in such newspapers as the Returning Officer may select. The Returning Officer shall forthwith send copies of the list to be posted within each district in the principal offices and the offices of Members, Divisional officers, Subdivisions, District Subdivisions and sub-divisions.

(3) The final list shall classify the candidates as in their nomination papers and exhibit their names in alphabetical order.

9. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Registrar not less than ten clear days before the date fixed for the recording of votes.

(2) The Registrar shall forthwith notify any such withdrawal and shall remove or cause to be removed from the ballot paper if already printed the names of the candidate who has withdrawn his candidature.

10. (a) If, owing to there being more than one candidate, a poll has to be taken, the Registrar shall forthwith inform the Commissioners of the Madras Presidency and the Collectors in municipal districts and request them to appoint Presiding Officers for each polling station at which voters for the constituency will have to poll. The Commissioners or the Collector may also, if necessary, appoint one or more officers to assist the Presiding Officers in identifying the voters.

(b) No elector shall be admitted to vote at any polling station other than the one under which his name appears in the electoral roll. Voters residing in Indian States or in other provinces shall record their votes by post according to regulations 16 to 22 (both inclusive) of the regulations framed for voting by post hereto appended.

Voting in person

11. The Presiding Officer shall keep order at the polling station, shall see that the election is fairly conducted, shall regulate the number of electors to be admitted at one time and shall exclude all other persons except his clerks, the candidates or any agent whom any candidate may have appointed in writing to appear on his stand at the polling station, the police on duty and such persons as may be admitted for the purpose of identifying the electors.

12. The ballot box shall be so constructed that the ballot papers can be introduced therein but cannot be withdrawn therefrom without the box being unlocked. Just before the commencement of the poll the Presiding Officer shall show the ballot box empty to such persons as may be present at the polling station and shall then lock it up and place a seal upon it in such manner as to prevent its being opened without breaking such seal and place it in his room for the receipt of ballot papers and shall keep it so locked and sealed. The key of the ballot box shall also be placed under seal.

13. The Commissioner or Collector shall provide for each Presiding Officer such number of clerks as he may consider desirable and shall supply to him copies of the electoral roll for his polling area, ballot papers and boxes, a list of the electors, and such other papers, stationery and forms as may be necessary.

14. Every ballot paper shall be in Form V and shall have the full names of the candidates printed in alphabetical order. If there are two candidates whose full names are the same they shall be distinguished by the addition of their occupation or in some other way.

15. (1) When a person presents himself to vote, but not afterwards, the Presiding Officer, or any clerk appointed to check the voters is, a reference to the electoral roll, may if he so sees fit and shall if so required by a candidate or his agent, put to the person either or both of the following questions:—

- (a) Are you the person entitled as follows (reading the whole entry from the roll)?
- (b) Have you already voted at the present election for this constituency?

(2) The vote of the person required to answer either of these questions shall not be allowed until he answers question (a) in the affirmative and question (b) in the negative.

(3) The name of every person presenting himself to vote and his number on the electoral roll shall be entered on a signature slip in Form IV and the voter shall thereupon sign his name in the columns provided for that purpose. The signature slips shall be consecutively numbered.

(4) The voter shall then present his slip to the Presiding Officer who after satisfying himself that it has been duly signed by the voter shall file it. Provided that the Presiding Officer may, if any doubt should arise as to the identity of the voter, require that the slip be attested by any person present who can identify the voter. If there is no such person present, the Presiding Officer shall note on the slip the fact that the voter's identity has been questioned.

(5) Immediately before a ballot paper—that is the counterfoil of Form V—is handed over to the voter, the Presiding Officer shall—

(a) inspect it as the back,

(b) enter the voter's number in the electoral roll on the corresponding counterfoil of Form V, and affix his initials against the voter's name in the electoral roll. The Presiding Officer shall then tell the voter how many votes may be given and shall give him a ballot paper.

(6) The voter on receiving the ballot paper shall forthwith proceed to the place set apart for the purpose and there mark a cross on the ballot paper against the name of the candidate for whom he intends to vote. He shall then fold the ballot paper and put it in the ballot box.

(7) (1) If the voter is unable to read the ballot paper or to make a cross thereon, and applies for assistance in doing so, the Presiding Officer shall read it for him and if so required shall the ballot paper according to the directions of the voter and give it to him to put in the ballot box.

(2) In the case of every voter whose ballot paper is marked in this manner by the Presiding Officer, a note shall be made on the corresponding counterfoil of Form V by the Presiding Officer of the reason why it was so marked.

(8) (1) Any ballot paper which is not duly marked or on which votes are given to more candidates than there are members to be elected or on which any mark is made by which the voter may afterwards be identified shall be invalid.

(2) If more than one cross is placed against any candidate's name they shall count only as one vote in his favour provided that the voter has not placed crosses against more candidates than there are members to be elected.

(3) If the cross or any one of the crosses is so placed as to render it doubtful for which candidate such mark is intended to apply, this vote concerned but not the whole ballot paper in the case where more than one vote can be given on the same ballot paper shall be invalid provided again that the voter has not placed crosses against more candidates than there are members to be elected.

(9) If a person representing himself to be a particular elector named on the electoral roll applies for a ballot paper, after another person has voted as such elector, the applicant shall, after duly answering such questions as the Presiding Officer may ask, be entitled to mark the ballot paper in the same manner as any other voter. The ballot paper (filled in these regulations a handwritten ballot paper) shall be of a colour different from the other ballot papers and instead of being put into the ballot box shall be given to the Presiding Officer and enclosed by him with the name of the voter and his number on the electoral roll and put aside in a separate packet. The signature of the voter concerned shall be taken on signature slips in Form IV as under Regulation 15(2); but the slip in this case shall not be placed in the file of signature slips but shall be attached to its associated handwritten ballot paper and these slips with their associated numbered ballot papers shall be separately filed.

(10) A voter who has inadvertently dealt with his ballot paper in such a manner that it cannot be conveniently used as a ballot paper may, on delivering it to the Presiding Officer and satisfying him of the inadvertence, obtain another ballot paper in place of the first paper, the latter together with its counterfoil being marked as cancelled.

(11) The Presiding Officer of each polling station, as soon as practicable after the close of the poll shall in the presence of the candidates or their agents open the ballot box, take out the ballot papers and pack them up and seal the packet with his own seal and the seal of each agent of the candidates as may desire to affix their seal. He shall strictly put up and seal—

- (1) the sealed and open ballot papers both ordinary and tendered with their counterfoils;
- (2) the tendered ballot papers with the signature slips attached to them;
- (3) the sealed copies of the electoral roll; and the counterfoils of ballot papers; and
- (4) the file of signature slips.

(12) The packets shall be forwarded by the Presiding Officer to the Returning Officer accompanied by a statement in Form VI as to the result not later than the day and hour fixed for the counting of votes. Each packet shall be numbered and shall bear a note as to its contents.

(13) Every Presiding Officer, clerk and agent in attendance at a polling station shall maintain, and aid in maintaining, the secrecy of the voting in such station and shall not communicate, except for some purpose authorized by law, to any person any information as to the name or number on the electoral roll of any elector who has or has not applied for a ballot paper or voted.

at that station or so to how a particular elector has voted; and no such officer, clerk or agent and no person whatsoever shall interfere with or attempt to interfere with a voter while marking his vote. No person shall directly or indirectly induce any elector to display his ballot paper after he shall have marked the same so as to make known in any form the name of the candidate for whom he has so marked his vote.

35. On the day and at the hour appointed for the counting of votes the Returning Officer shall proceed as follows:—

(a) The packets containing the ballot papers received from each polling station shall be opened one after another, and the papers in each shall be counted or caused to be counted and the number recorded in Form VII.

(b) The voting envelopes received by post shall then be opened, the ballot papers taken out of them and their number recorded also in Form VII.

(c) The examination and counting of the votes with their annexes. The Returning Officer shall on every ballot paper which is wholly or partially rejected endorse the word "rejected". If any candidate or agent present questions the acceptance of his rejection order, he shall also record on the ballot paper the grounds of rejection briefly.

(d) The Returning Officer shall, as far as practicable, proceed continuously with the counting of the votes, and shall during any necessary intervals, during which the counting has to be suspended, place the ballot papers, packets and other documents relating to the election under his own seal and the seals of such candidates or their agents as may desire to affix them and adequate precautions shall be taken for their custody.

36. After the Returning Officer has completed the counting and counting he shall prepare a return of the results of the polling in Form VIII and after verifying the totals of votes with the figures in Forms VI and VII he shall declare the election of the candidate to whom most valid votes have been given.

37. Any candidate or his agent shall on application be permitted to take a copy or an extract from the return in Form VIII.

38. The Returning Officer shall not open the sealed packets containing the uncounted ballot papers and their annexed signatures slips or the marked copies of the electoral roll.

39. Upon the completion of the counting and the declaration of the results, the Returning Officer shall put in separate packets (1) the ballot papers the votes on which have been counted and (2) the ballot papers the votes on which have been rejected and shall mark on each packet the number of papers it contains. A note shall be made giving a description of the contents of each packet and the election to which it relates.

Disposal of ballot papers.

40. The Returning Officer shall, after declaring the result, forward a copy of the return in Form VIII to the Secretary to the Council or on the outcome of the first election to the Secretary to Government in the Legislative Department.

41. The Returning Officer shall retain in his custody the packets of ballot papers whether counted, rejected or uncounted, and of the counterfoils thereof. These packets shall not be opened and their contents shall not be inspected or produced except under the order of a competent court or of a judicial commissioner.

42. The Returning Officer shall retain the packets for a year and shall then, unless otherwise directed by the order of an election court, cause them to be destroyed.

Form I.

Nomination paper.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Candidate's declaration.

I declare that I am willing to stand for election and that I have appointed my election agent.

22

Signature of candidate.
Signature of Returning Officer.

Instruction.

Nomination paper which are not received by the Returning Officer before the day of 1922 shall be invalid.

Form II.

Preliminary list of candidates

1. Serial number.
2. Name of candidate.
3. Father's or baronet's name.
4. Address.
5. Name of proposer.
6. Name of seconder.

Note.

The candidate papers will be taken up for scrutiny at $\frac{11}{2}$ p.m. on the day of at (place). *Signature.*

Form III.

Final list of valid nominations.

1. Serial number.
2. Name of candidate.
3. Address.

Note.

The poll will be taken between and at the polling stations already notified. *Returning Officer.*

Form IV.

Signature slip.

Signature as elected m.d.	Name	Signature of voter.

Form V.

Form of form of ballot paper.

Candidate.	University constituency.	County.
Serial No.		
Occasional—University.		
Date of election—		
Number of elector—		

Form of back of ballot paper

Serial No.

Form VI.

Statement sent by Presiding Officer at polling station		in the district of for the University constituency.		after the	
Description.	Number received	Number sent	Number spent	Balance	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
I. Ballot papers— (a) Ordinary (b) Tactured II. Signature slips					

Particulars of packets sent to Returning Officer ...

Presiding Officer.

Form VII.

Value of polling station.	Number of ballot papers received
(1)	(2)
Total (All ballot papers received by post)	
Grand total	

Returning Officer.

Form VIII.

Return showing results of the election for the University constituency.

Name of candidate.	Number of valid votes.
(1)	(2)
A B C D E F	
Total number of valid votes ...	
Total number of invalid votes ...	

I do hereby declare that candidate A has been duly elected.

Returning Officer.

ANNEXURE

Regulations 10 to 22 of the Regulations for the Postal Vote

10. Not less than three clear days before the date fixed for the scrutiny and counting of votes, the Returning Officer shall issue through the post a declaration paper and a voting paper to each elector to the address entered against his name in the electoral roll, unless the elector has, since the publication of the roll, changed his address and intimated the fact in writing to the Returning Officer.

11. The declaration paper shall be in Form II and the voting paper in Form III. The same serial number shall be printed on the face of the declaration paper and on the back of the voting paper. To each voter shall be issued the declaration paper and the voting paper whose serial numbers correspond to the number which the voter bears on the electoral roll.

12. Before the ballot papers are issued to an elector, the Returning Officer shall—

(a) enter the name of the elector on the declaration paper; and

(b) place his initials against the name of the elector contained in the electoral roll, or the copy of it, used for the purpose of the election.

13. With the ballot papers, the Returning Officer shall send an envelope addressed to himself in Form IV, a smaller envelope with the number of the voting paper entered on its face and a letter in Form V. The Returning Officer shall enter the number of the ballot papers at the left-hand bottom corner of the envelope in Form IV.

14. Each elector, upon receipt of his ballot papers, if he desires to vote in the election, shall first sign the declaration in the declaration paper in the presence of a magistrate (other than a village magistrate) who shall attest the signature as indicated on the form. Provided that if an elector refuses more than five miles from the court of the nearest magistrate, he may have his declaration attested by any witness who knows him personally.

15. The elector shall thereafter record his vote on the voting paper by placing a mark in the form of a cross against the name of the candidate or candidates of his choice.

16. The elector shall then enclose the voting paper in the smaller envelope and stick it up and address the smaller envelope and the declaration paper in the larger envelope and send it by registered post to the Returning Officer so as to reach him not later than the day and hour fixed in the notification published under regulation 3 above.

Provided that, at his option, the elector may deposit the envelope in a ballot box which shall be provided at the office of the Returning Officer on the day fixed for the poll.

17. If an elector is incapacitated, from blindness or other physical cause, from voting in the manner prescribed above, it shall be accepted for him to record his vote by the hand of any of the officers or other persons empowered to attest his declaration; and such officer or other person shall, on the declaration paper, certify the incapacity and attest the fact of his having been requested by the elector to mark the voting paper for him, and of its having been so marked by him in the presence of the elector.

18. An elector who has not received his ballot papers sent by post or whose ballot papers, before their despatch back to the Returning Officer, have been inadvertently spoilt in such manner that they cannot be conveniently used as ballot papers, or who has lost his ballot papers may, on his transmitting to the Returning Officer a declaration in that effect, signed by himself before a magistrate (other than a village magistrate), request the Returning Officer to send him new ballot papers in place of those not received, spoilt or lost, provided that if an elector refuses more than five miles from the court of the nearest magistrate he may have his declaration attested by any witness who knows him personally; and, if the ballot papers have been spoilt, the spoilt ballot papers shall be returned to the Returning Officer who shall attest them as spoilt. In every case when new ballot papers are issued, a mark shall be placed against the number of the elector's name in the roll to denote that new ballot papers have been issued in place of those not received, spoilt or lost.

19. No election shall be invalidated by reason that an elector has not received a voting paper provided that a voting paper has been issued to him in accordance with these regulations.

20. The scrutiny of the ballot papers shall then take place. The envelopes received from voters by the Returning Officer shall first be arranged serially according to the numbers entered on them, and shall then be opened one after another by the Returning Officer or in his presence. The Returning Officer shall first examine whether the numbers on the declaration papers and the envelopes containing the voting papers are correct. If the Returning Officer is satisfied on this point and if the declaration and attestation are given fairly and truly, he shall file the declaration papers and put the envelopes containing the collected voting papers in a separate heap.

21. Where the Returning Officer is not satisfied that a declaration paper is the one sent out by him in the voter's name or where the declaration or attestation is not in order, he shall return the word "rejected" on the back of the declaration paper and keep it with the rejected voting paper in a separate bundle.

22. The Returning Officer shall then open the envelopes containing the voting papers except those rejected under regulation 21 and shall examine them and count the votes.

Form II.

Declaration paper.

Constituency. Election

Social No.

Elector's name and number on the roll

Elector's declaration.

I (name in full and designation) declare that I am an elector for this constituency and have signed no other voting paper at this election for this constituency

Signature (of elector)

Address

Affidavit.

I declare that the above signature was affixed in my presence by who is personally known to me (or who has been identified to my satisfaction).

Date Signature

Station Designation and address

Form III.

Ballot-paper Form.

Voting paper.

Constituency

Elector

Name of candidate

Form IV.

Form of form of envelope
Legislative Council election.

Constituency

Full name

To

The Returning Officer,

Constituency.

(Station and address).

No.

Form V.

Form of letter of introduction.

Constituency.

Sir,

The persons whose names are printed on the voting paper sent herewith have been nominated as candidates for the Legislative Council. Should you desire to vote at this election, I have to request that you will—

(a) first sign the declaration paper in the presence of a magistrate (other than a village magistrate) and obtain his attestation as indicated on the form;

(b) then mark your vote in the column provided for this purpose in the voting paper;

(c) enclose the voting paper in the smaller envelope; and

(d) put the smaller envelope and the declaration paper in the envelope addressed to me and return it to me by registered post as late as possible not later than $\frac{5.15}{p.m.}$ on

day the 192

Station

Dated

Signed

Returning Officer.

* Note.—If you could meet this form on the crest of the nearest magistrate you may have your declaration attested by any witness who knows you personally.

SECTION III—REGULATIONS FOR THE POSTAL VOTE.

1. These regulations shall apply to the constituency shown in column 1 of the schedule attached.

2. 'Returning Officer' means the officer named against each constituency in column 2 of the schedule.

3. (a) Not later than thirty days before the date fixed by Government for the holding of an election for his constituency, the Returning Officer shall issue a notice stating—

- (1) the name of the constituency;
- (2) the number of persons to be elected;
- (3) the date on which and the hours between which nominations should be presented to the Returning Officer;
- (4) the day on which, the hours during which, and the place at which the poll will be taken.

(a) The notice shall be published—

- (1) in the office of the Returning Officer,
- (2) in the *Port St. George Gazette*, and
- (3) in such newspapers as the Returning Officer may select.

Nomination of candidates.

4. (1) The nomination of every candidate shall be made by means of a nomination paper in Form I which shall, on application, be supplied by the Returning Officer to any elector whose name is on the electoral roll for the constituency.

(2) Every nomination paper shall be subscribed by two such electors as proposer and seconder and the candidate shall subscribe to a declaration on its envelope his willingness to stand for election and entering himself or some other person as his election agent.

(3) The same elector may subscribe as many nomination papers as there are vacancies to be filled. Each candidate shall be nominated by a separate nomination paper.

(4) Every nomination paper shall be presented on the date, and at the time and place appointed in the Returning Officer and shall thereupon be signed by him.

5. Nomination papers which are not received by the Returning Officer before the date and time appointed shall be rejected.

6. (a) On the day appointed for the receipt of nomination papers and immediately after the hour for their receipt is past the Returning Officer shall show every candidate, his election agent and his proposer and seconder to examine the nomination papers of all candidates which have been received by him as aforesaid.

(b) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under regulation 4 and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be entered by him on the nomination paper on which such decision is given.

7. Immediately after the scrutiny and the acceptance or rejection of nomination papers is the scrutiny described in the preceding regulations are over the Returning Officer shall make up a list of valid nominations and publish it on the notice-board of his office.

8. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fifteen clear days before the date fixed for the counting of votes.

(2) The Returning Officer shall forthwith certify any such withdrawal and shall remove from the voting papers, if already printed, the names of the candidate who has withdrawn his candidature.

Voting.

9. No voter shall be allowed to vote in any other way than is herein provided.

10. Not less than fifteen clear days before the date fixed for the scrutiny and counting of votes, the Returning Officer shall issue through the post a declaration paper and a voting paper to each elector in the address entered against his name in the electoral roll, unless the elector has, since the publication of the roll, changed his address and intimated the fact in writing to the Returning Officer.

11. The declaration paper shall be in Form II and the voting paper in Form III. The same serial number shall be printed on the face of the declaration paper and on the back of the voting paper. To each voter shall be issued the declaration paper and the voting paper whose serial numbers correspond to the number which the voter bears on the electoral roll.

12. Before the ballot papers are issued to an elector, the Returning Officer shall—

- (a) enter the name of the elector on the declaration paper; and
- (b) place his initials against the name of the elector entered in the electoral roll, or the copy of it, used for the purpose of the election.

13. With the ballot paper, the Returning Officer shall send an envelope addressed to himself in Form IV, a smaller envelope with the number of the voting paper entered on its face and a letter in Form V. The Returning Officer shall enter the number of the ballot paper at the left-hand bottom corner of the envelope in Form IV.

14. Each elector, upon receipt of his ballot paper, if he desires to vote in the election, shall first sign the declaration in the declaration paper in the presence of a magistrate (other than a village magistrate) who shall attest the signature as indicated on the form. Provided that if an elector resides more than five miles from the court of the nearest magistrate, he may have his declaration attested by any witness who knows him personally.

15. The elector shall thereafter record his vote on the voting paper by placing a mark in the form of a cross against the name of the candidate or candidates of his choice.

16. The elector shall then enclose the voting paper in the smaller envelope and stick it up and enclose the smaller envelope and the declaration paper in the larger envelope and send it by registered post to the Returning Officer as so to reach him not later than the day next before fixed in the notification published under regulation 2 above.

Provided that, at his option, the elector may deposit the envelope in a ballot box which shall be provided at the office of the Returning Officer on the day fixed for the poll.

17. If an elector is incapacitated, from blindness or other physical cause, from voting in the manner prescribed above, it shall be competent for him to record his vote by the hand of any of the officers or other persons empowered to attest his declaration (read such officer or other person shall, on the declaration paper, certify the incapacity and attest the fact of his having been requested by the elector to mark the voting paper for him, and of its having been so marked by him in the presence of the elector).

18. An elector who has not received his ballot paper sent by post or whose ballot paper, before being deposited back to the Returning Officer, have been inadvertently spoilt in such manner that they cannot be conveniently used as ballot paper, or who has lost his ballot paper may, on his transmitting to the Returning Officer a declaration to that effect, signed by himself before a magistrate (other than a village magistrate), require the Returning Officer to send him a new ballot paper in place of those not received, spoilt or lost, provided that if an elector resides more than five miles from the court of the nearest magistrate he may have his declaration attested by any witness who knows him personally; and, if the ballot paper have been spoilt, the spoilt ballot paper shall be returned to the Returning Officer who shall cancel them on receipt. In every case when new ballot papers are issued, a mark shall be placed against the number of the elector's name in the roll to denote that new ballot papers have been issued in place of those not received, spoilt or lost.

19. No election shall be invalidated by reason that an elector has not received a voting paper provided that a voting paper has been issued to him in accordance with these regulations.

20. The scrutiny of the ballot papers shall then take place. The envelopes received from voters by the Returning Officer shall first be arranged serially according to the numbers entered on them and shall then be opened one after another by the Returning Officer or in his presence. The Returning Officer shall first examine whether the numbers on the declaration papers and the envelopes containing the voting papers are correct. If the Returning Officer is satisfied on this point and if the declaration and attestation are prima facie regular, he shall file the declaration papers and put the envelopes containing the connected voting papers in a separate heap.

21. Where the Returning Officer is not satisfied that a declaration paper is the one sent out by him to the voter requested or where the declaration or attestation is not in order, he shall endorse the word 'rejected' on the back of the declaration paper and keep it with the connected voting paper in a separate bundle.

22. The Returning Officer shall then open the envelopes containing the voting papers except those rejected under regulation 21 and shall examine them and count the votes.

23. (a) The Returning Officer shall endorse the word 'rejected' on every voting paper that he rejects and, when the rejection order is questioned by any candidate or agent, give brief reasons for his order. Rejected voting papers shall be kept separate.

(b) He shall count the voting papers accepted by him as valid, record the votes secured by each of the candidates in Form VI and declare the election of the candidate to whom most valid votes have been given.

24. (a) Upon the completion of the counting, the Returning Officer shall set up in separate packets—

- (1) the counted voting papers;
- (2) the rejected declaration papers and connected voting papers;
- (3) the voting papers rejected at the count;
- (4) the file of declaration papers; and
- (5) the counted copy of the electoral roll.

(b) He shall also prepare and certify a return in Form VII and present any candidate or his agent to take a copy of this return or of the return in Form VI.

SCHEDULE.

List of institutions and their Returning Officers

Name of institution.		Returning Officer.	
(U)		(P)	
Madras Planters	...	Secretary, United Planters' Association of Southern India	
Madras Chamber of Commerce	...	Chairman, Madras Chamber of Commerce.	
Southern India Chamber of Commerce	...	One of the Secretaries to be nominated by the Executive Committee for the purpose	
Madras Trades Association	...	Chairman, Madras Trades Association	
Nallakottai Nagars' Association	...	Joint Secretary, Nallakottai Nagars' Association	

Form I.

Nominating paper.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address and occupation.
5. Signatures of proposer and member on electoral roll.
6. Signature of proposer and member on electoral roll.

Candidate's declaration.

I declare that I am willing to stand for election and that I have appointed as my election agent.

Signature of candidate
Signature of Returning Officer.

Instructions

Nominating papers which are not received by the Returning Officer before the day of ... shall be invalid.

Form II.

Form III.

Ballot-Paper Form.

Declaration paper.

constituent. Election

Serial No.

Elector's name and number on the roll.

Elector's declaration.

I (write in full and designation) declare that I am an elector for this constituency and have signed an other voting paper at the election for this constituency.

Signature (of elector)

Address

Attestation.

I declare that the above signature was affixed in my presence by who is personally known to me (or who has been identified to my satisfaction).

Date Signature

Station Designation and address

Voting paper

constituent.

Election

Name of candidate

Form IV.

Form of form of envelope
Legislative Council election.

Containing _____
Put in _____

To
The Returning Officer,

(Name and address).

No.

Form V.

Form of letter of instruction.

(Signature).

For,

The persons whose names are printed on the voting paper and herewith have been nominated as candidates for the Legislative Council. Should you desire to vote at this election, I have to request that you will—

- (a) Enclose the declaration paper in the presence of a magistrate (other than a village magistrate) and obtain the attestation as indicated on the form;^{*}
- (b) then mark your vote in the column provided for this purpose on the voting paper;
- (c) enclose the voting paper in the smaller envelope; and
- (d) put the smaller envelope and the declaration paper in the envelope addressed to me

and return it to me by registered post on or as late as not later than _____
the _____ day of _____ 1909 _____
a.m. p.m.

Station _____
Date _____

Signed _____

Returning Officer.

^{*} Form.—If you receive more than one notice from the agent of the nearest magistrate you may have your declaration attested by any whom you favour personally.

Form VI.

Form showing the results of the polling

Name of candidate.	Number of votes recorded in his favour.
Total number of valid votes ...	
Total number of invalid votes...	

I declare that
date stated.

has been

Signature

Returning Officer.

FORM VII

(1) Total number of articles as set.	(2) Number of value papers sent separately.	(3) Number of value papers at hotel papers reported as of separate article as set.	(4) Number of value papers received.	(5) Number of design- tion papers and monetary value papers reported.	(6) Number of value papers reported as of set.	(7) Number of value papers received.	(8) Number of design- tion papers and monetary value papers reported separately.	(9) Remarks

Returning Officer.

(By order of His Excellency the Governor in Council.)

A. D. KNAPP,
Secretary to Government (Returns).